

Attorney Docket No.: FMCE-P138

Remarks

Reconsideration of the above-identified application is respectfully requested.

The Examiner has objected to the drawings under 37 CFR 1.83(a) as not showing every feature which is recited in the claims. In particular, the Examiner contends that the limitations "first side" and "second side" recited in claim 7 and the limitation "hydraulic clips" recited in claim 19 are not shown in the drawings. With regard to the first objection, claim 7 has been amended to delete the limitations "first side" and "second side". With regard to the second objection, applicant submits that the hydraulic clips are represented by items 21 in Figure 20. Therefore, applicant submits that the drawings are now acceptable under 37 CFR 1.83(a).

Claims 1, 3, 4 and 7-19 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that the limitation in claim 1, lines 8-9 which states "a cable which during product loading and unloading operations is secured between . . ." and the limitation in claim 14, lines 7-8 which states "a cable which during product loading and unloading operations is stretched between . . ." are unclear. Pursuant to the Examiner's suggestion, claims 1 and 14 have accordingly been amended to change the word "during" to "prior to". Therefore, applicant submits that claims 1, 3, 4 and 7-19 are now patentable under 35 U.S.C. 112, second paragraph.

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Claims 1, 3, 7-10 and 12-19 stand rejected under 35 U.S.C. 103(a) as being obvious over WO 02/22491 to Le Devehat (Le Devehat 1) in view of WO 01/04041 to Le Devehat (Le Devehat 2). Regarding independent claims 1, 14 and 15, the Examiner asserts that Le Devehat 1 discloses an assembly for loading and unloading products which includes every feature recited in these claims, except for a single cable which is stretched between the first and second locations and is frictionally engaged by a winch. However, the Examiner states that Le Devehat 2 discloses an offshore loading system which uses a single cable that is stretched between the first and second locations and is frictionally engaged by a winch. The Examiner therefore concludes that it would have been obvious to one of ordinary skill in the art to substitute the cable and winch system of Le Devehat 2 for the cable and winch system of Le Devehat 1 "as one would have expected the system to perform equally as well."

With respect to independent claims 1 and 14, however, this rejection is improper because neither Le Devehat 1 nor Le Devehat 2 discloses a winch which frictionally engages the cable to move the connection system between the first and second locations.

The winch 42 in Le Devehat 1 does not frictionally engage the connection cable 41 to move the connection system between the first and second locations. Rather, the cable 41 is merely wound upon the winch 42.

Likewise, Le Devehat 2 does not disclose a winch which frictionally engages the cable to move the connection system between the first and second locations. Le Devehat 2 discloses an offshore loading system which comprises a

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plurality of pipe sections 15 connected together in concertina fashion. Each pipe section 15 is suspended from a suspension strut 22, and a connection system (i.e., a hydraulic coupling) 49 is connected to the first pipe section. Prior to being extended between the first and second locations, the pipe sections 15 are suspended from a stand 14 which is mounted at the first location. In order to extend the assembly of pipe sections 15 to the second location, the pipe sections are successively pushed onto a cable 17 which is being unwound from a first winch 40 at the first location and wound upon a second winch 48 at the second location. As each pipe section 15 is pushed off of the stand 14, its corresponding suspension strut 22 grabs onto the cable 17, and the cable carries the pipe sections toward the second location. Thus, the movement of the connection system 49 from the first location to the second location is effected by the cable 17 to which the connection is attached. Neither the first winch 40 nor the second winch 48 frictionally engages the cable to move the connection system 49 between the first and second locations.

Therefore, claims 1 and 14 are clearly patentable under 35 U.S.C. 103(a) over any permissible combination of Le Devehat 1 and Le Devehat 2.

With respect to independent claim 15, neither Le Devehat 1 nor Le Devehat 2 discloses a cable having a first end which is connected to the first location and a second end which is connected to a winch, wherein the cable is wound around a pulley which is positioned at the second location. In particular, a cursory review of Le Devehat 1 and Le Devehat 2 will reveal that neither of

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these references discloses a pulley which is positioned at the second location and around which the cable is wound.

Therefore, claim 15 is clearly patentable over any permissible combination of Le Devehat 1 and Le Devehat 2.

Furthermore, claims 3, 7-10, 12, 13 and 16-19 depend from claims 1, 14 and 15. Therefore, these claims 3, 7-10, 12, 13 and 16-19 are patentable over any permissible combination of Le Devehat 1 and Le Devehat 2 for the reasons stated above.

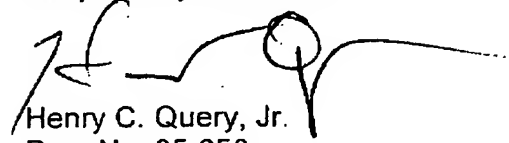
Claims 3 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Le Devehat 1 in view of Le Devehat 2. However, claims 3 and 4 depend from claim 1. Therefore, to the extent the present rejection is based on the Examiner's belief that claim 1 is unpatentable over Le Devehat 1 and Le Devehat 2, claims 3 and 4 are patentable over any permissible combination of Le Devehat 1 and Le Devehat 2 for the reasons stated above.

Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Le Devehat 1 and Le Devehat 2, as applied to claim 1, and further in view of Dumas (U.S. Patent No. 3,964,512). However, claim 11 depends from claim 1. Therefore, to the extent the present rejection is based on the Examiner's belief that claim 1 is unpatentable over Le Devehat 1 and Le Devehat 2, claim 11 is patentable over any permissible combination of Le Devehat 1, Le Devehat 2 and Dumas for the reasons stated above.

For the foregoing reasons, claims 1, 3, 4 and 7-19 are submitted as allowable. Favorable action is solicited.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "H. Query, Jr.", with a stylized flourish extending to the right.

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Date: June 14, 2010